

REMARKS

This Preliminary Amendment is filed in connection with a Request for Continued Examination and in response to the Final Office Action mailed April, 21st 2005. All objections and rejections are respectfully traversed.

Claims 1-37 are now pending in the case.

Claims 1, 14, 19, 25, 26 and 28 have been amended to better claim the invention.

Claims 29-37 have been added.

At page 2 of the Final Office Action the Examiner states “[s]ince applicant fails to traverse the examiner’s assertion of official notice, the examiner is taking the office notice to be admitted prior art.” The Applicant respectfully asserts that the Official Notice was traversed in the previous Amendment. The Applicant stated “All objections and rejections are respectfully traversed” both at page 1 and at page 7 of the Amendment. Since the Official Notice was part of a rejection, the Applicant maintains it was traversed. Accordingly the Applicant has not admitted that the Official Notice is prior art.

Claim Rejections – 35 U.S.C. §102

At page 2 of the Final Office Action, claims 1-4, 7, 8, 13-16, 19, 23, 25-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chu et al. U. S. Patent No. 6,346,954 issued February 12, 2002 (hereinafter Chu)

The Applicant's invention, as set forth in representative claim 1, comprises in part:

1. A system for reporting information related to predetermined storage volumes in a network, ***each volume including a cluster of physical storage disks and defining a logical arrangement of storage space***, the system including at least one storage appliance comprising:
 - a monitor process that identifies volumes and retrieves statistical information with respect to the volumes;
 - an interface adapted to enable volumes to be associated with a group***; and
 - a reporting process that organizes and displays the statistical information with respect to the volumes associated with the group to interested parties.***

Chu discloses a method for managing a single RAID system which may have a number of drive arrays, each array including multiple disk drives. *See* col. 1, lines 30-35, col. 6, lines 33-42, and Fig 3. Information concerning an array is displayed to a user graphically in an "array frame, an iconic representation of a data storage array [that] may be graphically displayed in response to user selections." *See* col. 6, 53-56. For example, "in Fig 6, array A frame 90 graphically displays and [sic] iconic representation of data storage array A including five physical drive ID1, ID2, ID3, ID4, and ID4 selected by the user." *See* col. 8, lines 51-55. If a user wishes to manage other drive arrays of the RAID system, the user must switch to another array frame in the graphical user interface. *See* col. 6, lines 52-60

The Applicant respectfully urges that Chu is silent concerning the Applicant's claimed invention relating to "***each volume including a cluster of physical storage disks and defining a logical arrangement of storage space... an interface adapted to enable***

volumes to be associated with a group” and “a reporting process that organizes and displays the statistical information with respect to the volumes associated with the group to interested parties.”

The Applicant notes the Examiner stated “the Examiner interprets storage space within each disk drive to be volumes associated with a group” in the latest Office Action. See page 9. The Applicant has incorporated the definition of volume from the Specification into the claims, and accordingly believes such interpretation is now clearly inappropriate.

While the Applicant novelly teaches “*an interface adapted to enable volumes to be associated with a group*” and “*a reporting process that organizes and displays the statistical information with respect to the volumes associated with the group,*” Chu lacks any teaching of volumes or organizing them into groups for efficient display. Chu merely divides disks of a RAID system into arrays, at a low I/O level adapter level, and then displays information to a user based on this array grouping. No mention is made of grouping these arrays into any type of higher groupings and displaying statistical information with respect to those groupings.

To further illustrate the differences of the Applicant’s claimed invention over Chu and other conventional systems, the Applicant respectfully directs the Examiner’s attention to page 2, line 21 to page 3, line 6 of the Specification, which describes the shortcomings of such approaches, stating:

Currently available network administration tools enable an operator to retrieve various status and performance information/reports from in-

dividual volumes, or from the entire array of network devices. While such reporting is valuable, it is often limited in usefulness, particularly where a large network of disparate users is present. For example, a large organization such as a bank may have a variety of separate departments, each having its own requirements and characteristics of network use. In order to effectively monitor and administer the various departments it is desirable to divide volumes into separate reporting groups. In addition, it may be desirable to selectively group certain volumes into more than one group where a given volume may cross certain departmental lines. For example upper management may wish to view data from a variety of departments, that are otherwise restricted to individuals in the particular departments.

The Applicant's novel approach overcomes these shortcomings, and avoids the limitations of systems such the one taught in Chu.

Accordingly, the Applicant respectfully urges that Chu is legally insufficient to anticipate the presently claimed invention under 35 U.S.C. § 102 because of the absence of the Applicant's claimed novel "*each volume including a cluster of physical storage disks and defining a logical arrangement of storage space... an interface adapted to enable volumes to be associated with a group*" and "*a reporting process that organizes and displays the statistical information with respect to the volumes associated with the group to interested parties.*"

Claim Rejections – 35 U.S.C. §103

At page 6 of the Final Office Action, claims 5-6, 9-12, 17-18, 22, 24 and 28 were rejected under 35 U.S.C. § 103(a) over Chu.

The Applicant respectfully notes that claims 5-6, 9-12, 17-18, 22, 24 and 28 are dependent claims that depend from independent claims believed to be in condition for allowance. Accordingly, claims 5-6, 9-12, 17-18, 22, 24 and 28 are believed to be in condition for allowance.

In the event that the Examiner deems personal contact desirable in the disposition of this case, the Examiner is encouraged to call the undersigned attorney at (617) 951-3078.


All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims.

The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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